

City of San José

Energy and Water Building Performance Ordinance



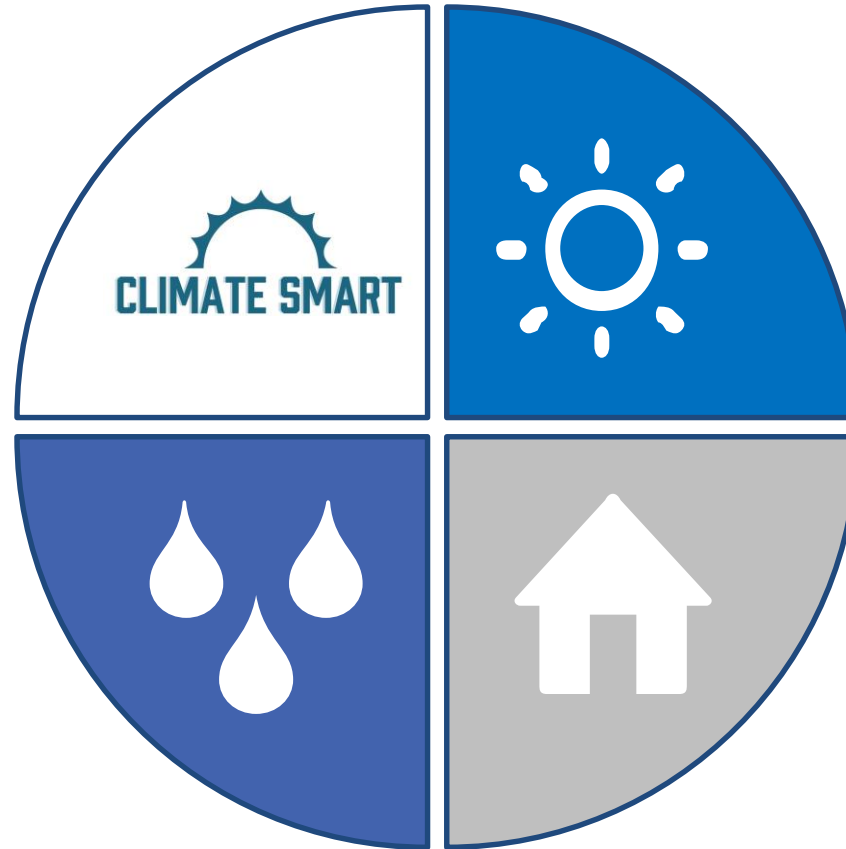
Environmental Services



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Why Building Performance?

Climate Smart San José targets a **6.5% reduction in GHG emissions every year** for the next 3 decades, and a **34% reduction in total water consumption** by 2040



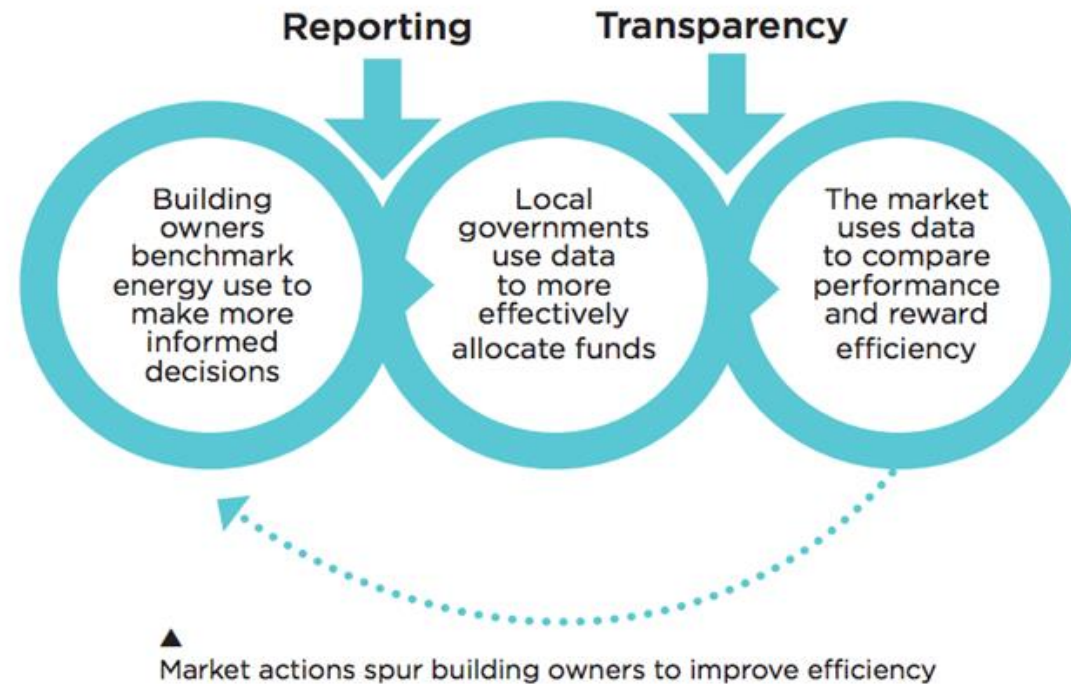
In San José, building energy usage is the second largest source of GHG emissions

Over half of the buildings that will be standing in 2050 have already been built

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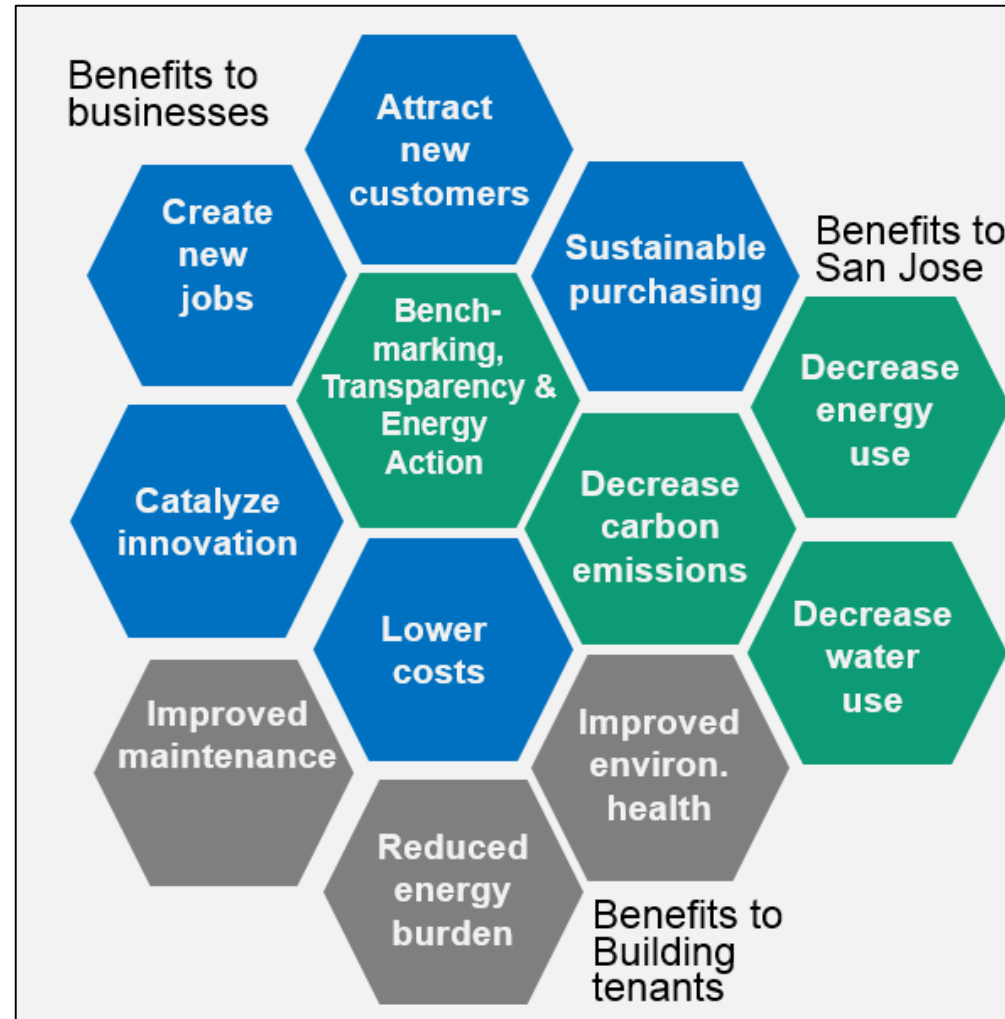
What is Benchmarking?

Benchmarking: The process of tracking a building's energy and water use over time, using a free tool called ENERGY STAR Portfolio Manager®, to assess how efficient buildings are compared to similar buildings



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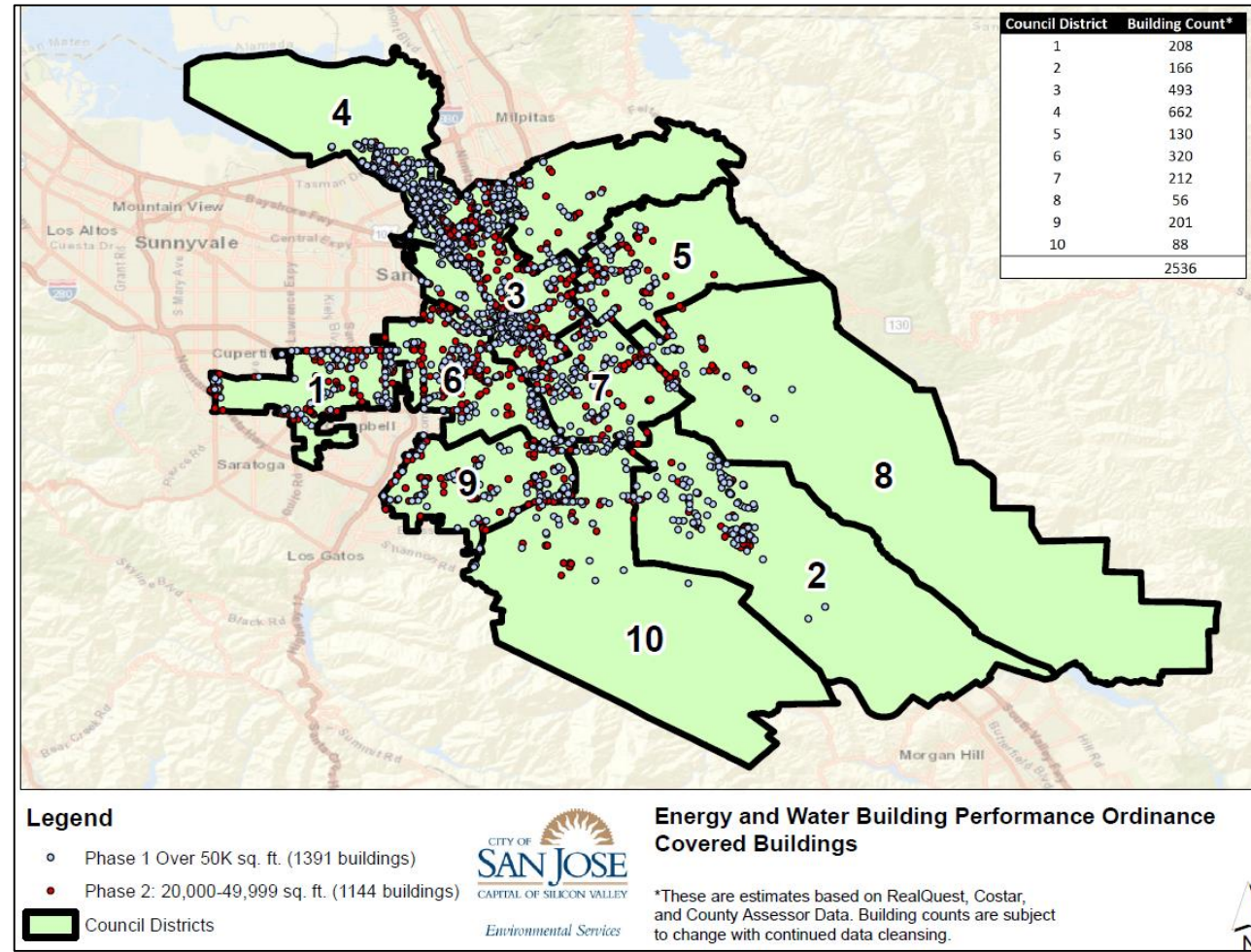
Policy Benefits: Market Transformation



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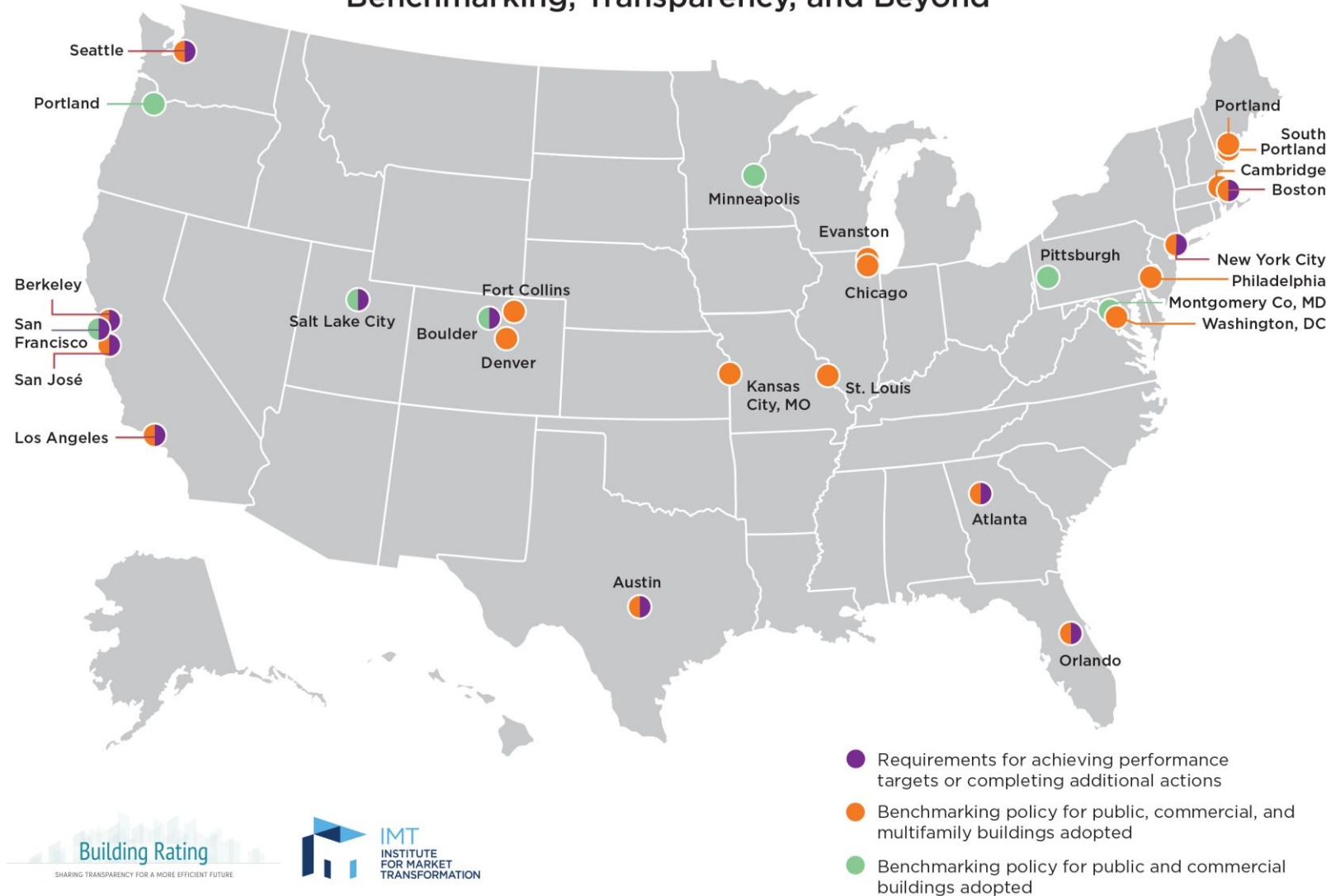
Distribution of Buildings

By Size and Council District



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U.S. City and County Policies for Existing Buildings: Benchmarking, Transparency, and Beyond



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Key Ordinance Details

- Buildings 20,000 sq. ft. and over
- Covers commercial and multifamily buildings
 - Not heavy/light industrial
 - Not condominiums
- Responsibility for reporting falls on building owner, not tenants, but can be delegated out to an operator/manager, 3rd party consultant, etc.
- Noncompliant buildings may be subject to fines, but extension and exemption forms are available
- Potential reporting fee in 2020



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Potential Exemptions

■ “Financial Distress”

- On City’s annual tax lien sale list
- Has a court appointed receiver in control of assets
- Owned by a financial institution through default by the borrower
- Acquired by a deed in lieu of foreclosure
- Senior mortgage subject to notice of default

■ Building Use/Occupancy-Related

- Did not receive energy or water services for part of year
- Did not have a Certificate of Occupancy/Temporary Certificate of Occupancy for part of year
- Not occupied for part of year
- A demolition permit has been issued and demolition work has commenced before deadline
- “Trade secret”



Yearly Benchmarking Requirements

- **Properties 50,000 sq. ft. and over required to submit benchmarking reports starting May 1, 2019**
- Properties 20,000 sq. ft. and over required to submit benchmarking reports starting May 1, 2020
- Submissions accepted through ENERGY STAR Portfolio Manager® with data check requirements



Five-Year Requirements

- Properties must go through 1 of 2 additional requirement pathways, scheduled on a rolling cycle based on last digit of Tax Assessor Parcel Number:
 - Performance Pathway- If a building has demonstrated high efficiency or has improved efficiency over the five year period, can submit a performance verification report
 - Improvement Pathway- If a building can improve its efficiency, must complete either an audit, retuning, or targeted retrofits

Beyond Benchmarking Schedule

Properties 50,000 sq. ft. and over

Last digit of APN	First compliance due date	Subsequent compliance due dates
0	May 1, 2021	Every five years thereafter
1	May 1, 2021	Every five years thereafter
2	May 1, 2022	Every five years thereafter
3	May 1, 2022	Every five years thereafter
4	May 1, 2023	Every five years thereafter
5	May 1, 2023	Every five years thereafter
6	May 1, 2024	Every five years thereafter
7	May 1, 2024	Every five years thereafter
8	May 1, 2025	Every five years thereafter
9	May 1, 2025	Every five years thereafter

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Beyond Benchmarking Schedule

Properties between 20,000 - 50,000 sq. ft.

Last digit of APN	First compliance due date	Subsequent compliance due dates
0	May 1, 2022	Every five years thereafter
1	May 1, 2022	Every five years thereafter
2	May 1, 2023	Every five years thereafter
3	May 1, 2023	Every five years thereafter
4	May 1, 2024	Every five years thereafter
5	May 1, 2024	Every five years thereafter
6	May 1, 2025	Every five years thereafter
7	May 1, 2025	Every five years thereafter
8	May 1, 2026	Every five years thereafter
9	May 1, 2026	Every five years thereafter

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Five-Year Requirements: Performance and Improvement Pathways

MEET REQUIREMENTS FOR		ENERGY				and	WATER				
PERFORMANCE PATHWAY: OPTION 1	MEET TARGET METRICS	ENERGYSTAR Score of 75 or greater or Improve ENERGYSTAR Score by 15 pts or Energy Use Intensity (EUI) is 25% above median for use type or Improve EUI by 15%				and	ENERGYSTAR Water Score of 75 or greater or Improve ENERGYSTAR Water Score by 15 pts or Water Use Intensity (WUI) is 25% above median for use type or Improve WUI by 15%				
PERFORMANCE PATHWAY: OPTION 2	LEED EBOM	LEED Existing Buildings Operations and Maintenance Certification, meeting compliance standards for both energy and water									
IMPROVEMENT PATHWAY		ENERGY	OPTION 1	OPTION 2	OPTION 3*	and	WATER**	OPTION 1	OPTION 2	OPTION 3*	
			ASHRAE 2 Energy Audit	or	Energy Retro-Commissioning		or	Choice of 2 Energy Efficiency Improvement Measures		Water Audit	or

*For buildings without central cooling only

**Multifamily buildings under 50,000 sq. ft. without water submetering are eligible for exemption to this ordinance requirement

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Ordinance Schedule

Reporting Year 1: May 1, 2019

- Buildings 50,000 sq. ft. and over will report benchmarking data to the City, and reporting metrics will be published
- Transition buildings from reporting benchmarking data to the state

Reporting Year 2: May 1, 2020

- Buildings 20,000 sq. ft. and over will report benchmarking data to the City, and reporting metrics will be published

Reporting Year 3: May 1, 2021

- Buildings 50,000 sq. ft. and over will be phased into Beyond Benchmarking requirements, based on tax assessor parcel number

Reporting Year 4: May 1, 2022

- Buildings 20,000 sq. ft. and over will be phased into Beyond Benchmarking requirements, based on tax assessor parcel number

Building Example

Building	<ul style="list-style-type: none">• 20,000 square foot apartment building, with 20 units• Tax Assessor Parcel Number ends in #2
ENERGY STAR Portfolio Manager results	<ul style="list-style-type: none">• ENERGY STAR score: 55• EPA Water score: 47
2019	<ul style="list-style-type: none">• None, building is not 50,000 or more sq. ft.
2020	<ul style="list-style-type: none">• Report benchmarking data for 2019 calendar year (CY), and annually thereafter
2021	<ul style="list-style-type: none">• Report benchmarking data for 2020 CY
2022	<ul style="list-style-type: none">• Report benchmarking data for 2021 CY
2023	<ul style="list-style-type: none">• Since building's APN ends in #2, go through one of the five-year requirement Pathway options• Since the ENERGY STAR score is under 75, the owner goes through the Improvement Pathway for energy; the building is exempt from the Improvement Pathway for water. Owner chose to hire a 3rd party consultant to perform an ASHRAE 2 audit, evaluating energy improvement opportunities.

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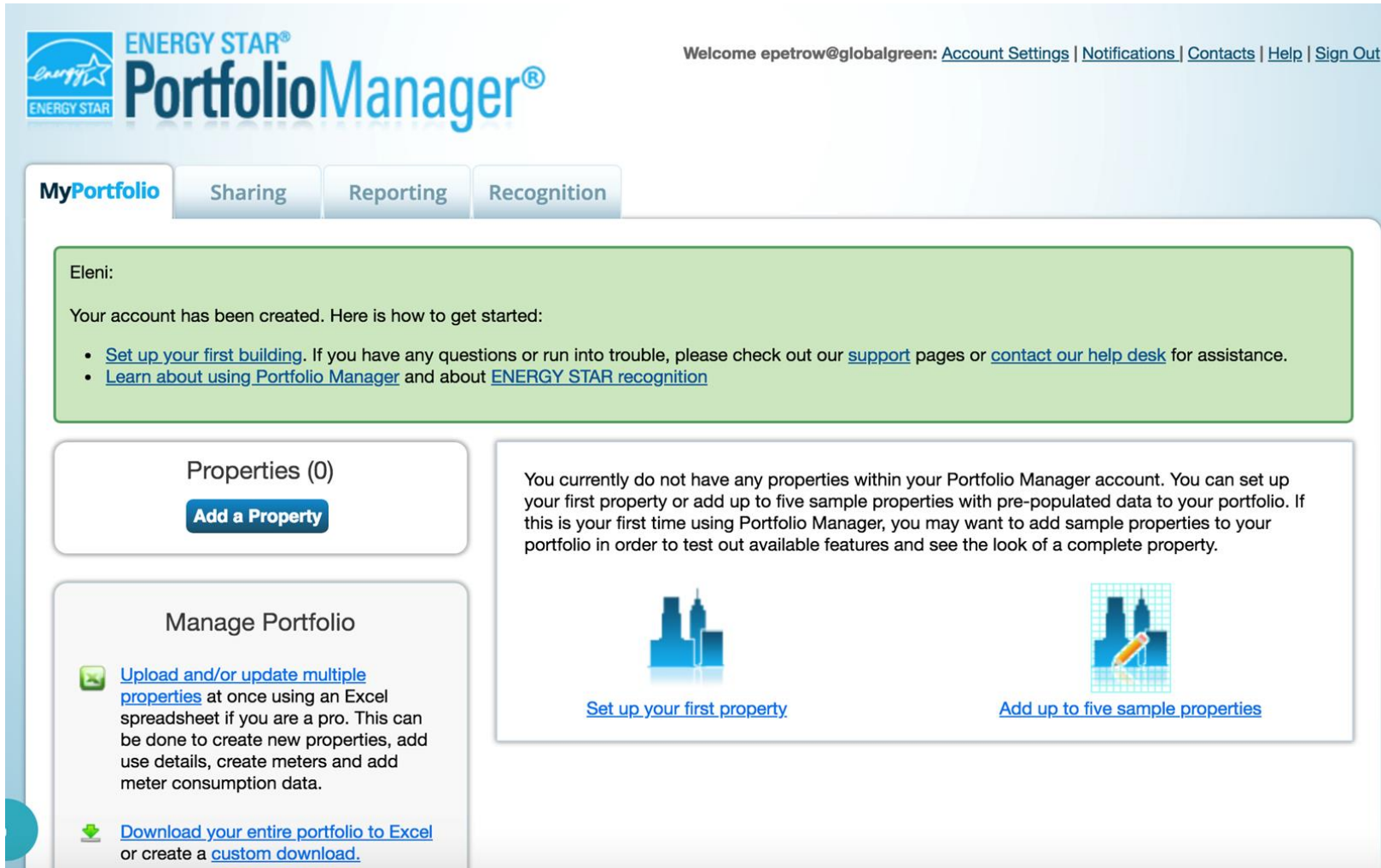
Benchmarking and Reporting Software

- EPA ENERGYSTAR Portfolio Manager® is the leading universal free software for building energy and water benchmarking
- Send a connection request from your energy utility account to upload data directly to Portfolio Manager



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Sample Property



The screenshot displays the ENERGY STAR Portfolio Manager web interface. At the top, the logo is on the left, and a welcome message for 'epetrow@globalgreen' with links for Account Settings, Notifications, Contacts, Help, and Sign Out is on the right. Below the header is a navigation bar with 'MyPortfolio' selected, and tabs for 'Sharing', 'Reporting', and 'Recognition'. A green message box from 'Eleni' informs the user that their account has been created and provides instructions on how to get started, including links to 'Set up your first building' and 'Learn about using Portfolio Manager'. Below this, a 'Properties (0)' section features an 'Add a Property' button. To the right, a large box explains that no properties are currently in the account and offers two options: 'Set up your first property' (illustrated with a building icon) and 'Add up to five sample properties' (illustrated with a building icon and a pencil). On the left, under 'Manage Portfolio', there are two options: 'Upload and/or update multiple properties' (with a green document icon) and 'Download your entire portfolio to Excel or create a custom download' (with a green download icon).

ENERGY STAR®
PortfolioManager®

Welcome epetrow@globalgreen: [Account Settings](#) | [Notifications](#) | [Contacts](#) | [Help](#) | [Sign Out](#)

MyPortfolio | [Sharing](#) | [Reporting](#) | [Recognition](#)

Eleni:



Your account has been created. Here is how to get started:

- [Set up your first building](#). If you have any questions or run into trouble, please check out our [support](#) pages or [contact our help desk](#) for assistance.
- [Learn about using Portfolio Manager](#) and about [ENERGY STAR recognition](#)


Properties (0)


[Add a Property](#)

Manage Portfolio

-  [Upload and/or update multiple properties](#) at once using an Excel spreadsheet if you are a pro. This can be done to create new properties, add use details, create meters and add meter consumption data.
-  [Download your entire portfolio to Excel](#) or create a [custom download](#).

You currently do not have any properties within your Portfolio Manager account. You can set up your first property or add up to five sample properties with pre-populated data to your portfolio. If this is your first time using Portfolio Manager, you may want to add sample properties to your portfolio in order to test out available features and see the look of a complete property.

 [Set up your first property](#)

 [Add up to five sample properties](#)

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Sample Property (cont.)

ACME BANK

PROPERTY

Set up a Property: Let's Get Started!

Properties come in all shapes and sizes, from a leased space in a large office building, to a K-12 school with a pool, to a large medical complex with lots of buildings. Since there are so many choices, Portfolio Manager can walk you through getting your property up and running. When you're done, you'll be ready to start monitoring your energy usage and pursue recognition!

Your Property Type

We'll get into the details later. For now, overall, what main purpose does your property serve?

Select a property type

[Learn more about Property Types.](#)

Your Property's Buildings

How many physical buildings do you consider part of your property?

1

2

3

☐ **None:** My property is part of a building

☐ **One:** My property is a single building

☐ **More than One:** My property includes multiple buildings ([Campus Guidance](#))

How many?

Your Property's Construction Status

Is your property already built or are you entering this property as a construction project that has not yet been completed?

☒ **Existing:** My property is built, occupied and/or being used. I will be using Portfolio Manager to track energy/water consumption and, perhaps, pursue recognition.

☐ **Design Project:** My property is in the conceptual design phase (pre-construction); I will be using Portfolio Manager to evaluate the energy efficiency of the design project.

☐ **Test Property:** This is not a real property. I am entering it to test features, or for other purposes such as training.

Get Started!

Cancel

Tip

To set up a property, you'll need information such as [gross floor area](#) and [operating hours](#).

Tip

Not sure what kind of property you are? Because we focus on whole building benchmarking, you want to select the property type that best reflects the activity in the majority of your building. Don't worry if you have other tenants with different business types, just select the main activity.

Test Properties

You may want to enter a property into Portfolio Manager that isn't actually a "real" property, either to familiarize yourself with features or maybe to train other people. By telling us this a "Test" property, we can give the option of including this property in your portfolio-level metrics, charts and table or not, depending what your needs are. This can be configured on your [Account Settings](#).

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Privacy Policy

Browser Requirements

ENERGY STAR Buildings & Plants Website

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Sample Property (cont.)

Set Up a Property: Basic Property Information

Tell us a little bit more about your property, including a name that you will use to look up your property and its address.

About Your Property

Name: *

Country: *

Street Address: *

City/Municipality: *

State/Province: *

Postal Code: *

Year Built: *

Gross Floor Area: * ☐ Temporary Value

Irrigated Area:

Occupancy: * %

Property Photo (optional): No file chosen

Gross Floor Area (GFA) is the total property floor area, measured from the principal exterior surfaces of the building(s). Do not include parking. [Details on what to include.](#)

Select an image file on your computer with the format type of .jpg, .jpeg, .png or .gif; photos will be resized to fit a space of 2.78 inches wide x 2 inches tall.

Tip

The name you choose for your property does not have to be unique. But, it may make it easier for you to work with properties in your portfolio if you do not use the same (or similar) names.

Tip

The property photo that you upload here can be used on the [Registry of ENERGY STAR Qualified Buildings](#) if you submit the photo with your application for ENERGY STAR certification. Once a photo has been approved with an application, it cannot be changed until the next time that the property receives

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Reporting

MyPortfolio

Sharing

Reporting

Recognition

Respond to Data Request: Data Request:2019 EPA Recommended Fields

from Ariel Carpenter (City of San Jose)

About this Data Request

Data Requested By:

Ariel Carpenter

Instructions:

Test

For help, contact:

Ariel Carpenter at Ariel.Carpenter@sanjoseca.gov or 4085358560

Responding to Data Requests

You are viewing this screen because someone has asked you to provide data to them in the form of a data request. To respond, simply fill out the information on this screen and select what properties you wish to include (some decisions may have been made by the data requestor.)

Also see the [How to Respond to Data Requests](#) guide.

About Your Response

Who is this data being submitted on behalf of?

☒ myself

☐ someone else

Submitting Data for Someone Else

Sometimes people delegate their responsibilities for responding to data requests to other people. If you are responding on behalf of someone else, please select their name from your Contacts Book so that they will be attributed to the response.

Your Response

Select Information to Include:

Timeframe:

* Single Year

▼

Dec 31

▼

2018

▼

i

If the data requestor has specified a timeframe for the request, you will not be able to change it.

Properties:

!

Warning! You have no properties in your account. In order to respond to this data request, your account must have at least one property. Please [set up your properties](#) and enter meter consumption information in order to respond to this data request.

Previewing Reports

Making selections here will include specific properties and timeframes in your response. You may preview your response before you send it. However, Portfolio Manager will need to prepare the preview in order for you to view it. Large responses may take more time to prepare. Your response preview will be available from the "Templates & Reports" section on the Reporting tab when it is ready.

Generate Response Preview

[Cancel](#)

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Resources for Compliance

- Please visit www.sanjoseca.gov/benchmarking to access:
 - About The Ordinance Flier
 - FAQs
 - Compliance Checklist
 - Exemption/extension forms
 - Unique building IDs
 - Utility-specific resources and contacts
 - ENERGYSTAR Portfolio Manager® resources
- Or contact the City of San José Benchmarking Help Desk
 - Email: benchmarking@sanjoseca.gov
 - Phone: 408.975.2540

Questions?



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